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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR 09-01062 PJH
Plaintiff,) [PROPOSED] ORDER EXCLUDING
v.) TIME
KARIM AKIL, a/k/a Scott Kinney,)
a/k/a Scott Kenney, AMY SCHLOEMANN,)
a/k/a Amy Kinney, LOUISA WONDA)
KIDD, MICHELLE McGUIRE, KASHKA)
CLAY, a/k/a Mark Lane, a/k/a Michael)
Lewis, JAMES ROSS, and DARNELL)
THOMAS,)
Defendants.)

The parties in the above-captioned case, with the exception of defendant Kashka Clay, appeared before the Court on November 3, 2010, during which the parties agreed that additional time was required for the defense to review the previously produced documents numbering greater than 40,000 pages, to review the many hours of recordings of the defendants, and to copy computer files from several computers seized by Alameda County and convert those files to a

STIPULATION AND [PROPOSED] ORDER
EXCLUDING TIME
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useful format.

At the hearing all parties jointly requested that the case be continued to January 12, 2011. All parties agreed that an exclusion of time from the Speedy Trial Act was appropriate from November 3, 2010 through January 12, 2011 to allow counsel for the defendants and the government the time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv).

Moreover, all parties agreed to the continued applicability of the Court's previous finding that the case is so complex due to the number of defendants, the nature of the charges, and the extraordinary amount of discovery material, that it is unreasonable to expect adequate preparation for pretrial proceedings within the time limits established by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(B)(ii).

Based upon the representation of counsel and for good cause shown, the Court finds that the ends of justice served by excluding the time between November 3, 2010 and January 12, 2011, from computation under the Speedy Trial Act outweighs the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that failing to exclude time between November 3, 2010 and January 12, 2011, would unreasonably deny the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

Therefore, IT IS HEREBY ORDERED that the time between November 3, 2010 and January 12, 2011 shall be excluded from computation under the Speedy Trial Act for the reasons stated above, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(ii) and (iv).

Dated: January 21, 2011



PHYLLIS J. HAMILTON
United States District Judge